

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT AND ITS 2008 AMENDMENTS

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Ventura will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Ventura does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The City of Ventura will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in The City of Ventura's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Programs: The City of Ventura will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Ventura offices, even where pets are generally prohibited.

Anyone who requires:

- 1) an auxiliary aid or service for effective communication or,
- 2) a modification of policies or procedures to participate in a program, service or activity of The City of Ventura should contact either of the following as soon as possible but no later than 72 hours before the scheduled event:
 - the department head or designated staff representative for the office hosting the City event or activity or,
 - the City ADA Coordinator/Risk Manager's office.

To request accommodation, aid or assistance in participating in a scheduled City event or activity, please call (805) 654-7853.



The ADA does not require the City of Ventura to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Informal complaints that a program, service, or activity of the City of Ventura is not accessible to persons with disabilities should be directed to the City ADA Coordinator/Risk Manager, (805) 654-7760, riskmanagment@cityofventura.ca.gov, 501 Poli Street, Room 210, Ventura, CA 93002. Formal written complaints about City services, activities or programs accessibility should be filed with the office of the City Clerk, 501 Poli St., Room #204.

The City of Ventura will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

REQUESTS, COMPLAINTS AND GRIEVANCE PROCEDURE

INFORMAL INQUIRY PROCESS

If you have a question about a program, service, or activity you can contact the specific department hosting the service, activity or program directly. You may also contact the City ADA Coordinator/Risk Manager's Office to make an Informal Inquiry. This may be done by sending a email request to riskmanagement@cityofventura.ca.gov. You may also call the ADA Coordinator/Risk Manager's office directly at 805-654-7760. The ADA Coordinator/Risk Manager may also be advised of any accessibility problems, need for accommodation or request for service. The ADA Coordinator/Risk Manager's Office or his/her designee will contact you to acknowledge receipt within five (5) business days after we receive your inquiry and inform you of who will contact you about your inquiry.

Requests For Accommodation or Barrier Removal

Individuals who need a modification or accommodation to a program, service, or activity of the City of Ventura may file a written Request for Accommodation or Barrier Removal Form with either the particular department or with the City Clerk's Office. A form is included at the end of this document for your convenience. In addition to requesting modifications or accommodations, individuals should use this form to request the removal of a physical and policy barriers.

1. If your request is urgent and you need a response from the City immediately, please indicate that in your request and we will do our best to respond as quickly as possible.
2. If your request is not urgent or does not pose a safety threat, the City will contact you to acknowledge receipt within three (3) business days. The request will then be forwarded to the ADA Access Compliance Committee calendared and reviewed for final approval by the committee. The Risk Manager's Office will notify you about the Committee's decision. After the determination, the City needs time to provide the service or barrier removal that you request, the City will notify you of the proposed action and time frame for implementing the requests.

THE FORMAL COMPLAINT PROCESS

The purpose of the formal complaint process is to provide reassurance that all inquiries, requests or complaints regarding the accessibility of City services, activities and programs are promptly and properly received and processed. The Formal Complaint Process will result in a review of staff performance and decisions in responding to a resident's concerns or questions relating to access of City services, activities or programs.

All formal complaints should be addressed, to the City Clerk, City of Ventura, 501 Poli Street, Room 204, Ventura, California, 93002. The official Formal Written Complaint form should be used. If assistance in the filing of a complaint is needed, contact the City Clerk's office at (805) 658-4787. The form is included at the end of this document for your convenience.

Complaints should be filed within 180 days from the date the complainant becomes aware of the problem. You can use the Formal Written Complaint form to file your formal complaint and attach it to your cover letter to help expedite the process.

Complaints should include the following information, if available:

- Name, address, and telephone number or e-mail address of the complainant or complainant's representative. If an address or telephone number is unavailable, then some of means of contacting the complainant should be provided.
- A brief description of the alleged violation, the location of the alleged violation, dates of violation and names and contact information of any contact persons or witnesses.
- Any supporting evidence, such as photographs, diagrams, letters, policies or other documents, which indicate the nature of the alleged violations and any attempts that have been made to, resolve the issue.
- Any suggested proposals to resolve the complaint.

Within five (5) business days of receipt of the complaint, a letter acknowledging receipt of the complaint will be sent to the complaining party. The ADA Coordinator/Risk Manager's Office will oversee investigation of the complaint, which will be completed within thirty (30) days of receipt of the complaint.

Upon completion of the investigation, the ADA Coordinator/Risk Manager's Office, or his/her designee, will advise the complaining party of the result of the investigation in writing. If it is determined that any of the violations alleged in a complaint are unfounded, the City will include the factual and legal basis for that determination in the letter.

In the event that the investigation determines that there is a violation of state or federal disabled access laws and regulations, a final resolution, which will include a proposed remedy and timeline for the remedy, will be reached within ninety (90) days from confirmation of the violation.

GRIEVANCE PROCEDURES

The ADA requires the City of Ventura to develop a specific and well-documented grievance procedure to be developed in order to provide the public with a clear process to reasonably resolve problems or complaints associated with the Americans With Disabilities Act or its Amendments. Title II requirements regarding grievance procedures have been in effect since January 26, 1992. The purpose of this grievance procedure is to provide a means for timely resolution of all problems or conflicts related to ADA compliance before they escalate to the point where the complainant feels it necessary to resort to the federal complaint process or litigation. This procedure is accessible and appropriate for use by both public citizens as well as by City employees.

The City of Ventura is committed to ensure that all of its programs, services, benefits, activities and facilities operated, used by or funded by the City be fully accessible to and useable by persons with disabilities.

The ADA Coordinator/Risk Manager's Office oversees the implementation and local enforcement of the City's obligations under the Americans with Disabilities Act (ADA) and its 2008 Amendments. Both Title II and Section 504 require the following stipulations regarding the ADA Grievance process and procedures:

1. Adopt and publish a grievance procedure providing for the prompt and equitable resolution of complaints [28 C.F.R. § 35.107 (b) and 34 C.F.R. § 104.7(b)].
2. Under both regulations, complainants are not required to exhaust grievance procedures before filing a complaint with the U.S. Department of Justice, Office for Civil Rights.
3. Section 504 requirements apply to employers of fifteen or more employees, while Title II of the ADA apply to all public entities regardless of size [28 C.F.R. § 35.107 (a) and 34 C.F.R. § 104.7(a)].
4. Section 504 regulation specifically states that grievance procedures must adopt due process standards [34 C.F.R. § 104.7(b)].

If the complainant is dissatisfied with City staff's proposed resolution of their formal written complaint, the community member may file a written Grievance with the office of the City Clerk. Within ten (10) days of any ADA Grievance filing, the City's ADA Committee shall initiate a review/investigation of the Grievance. You can use the Formal Written Complaint Form to file your formal complaint and attach it to your cover letter to help expedite the process.

An ADA Grievance should, at minimum, include the following information:

- Name, address, and telephone number or e-mail address of the complainant or complainant's representative. If an address or telephone number is unavailable, then some means of contacting the complainant should be provided.
- A brief description of the alleged violation, the location of the alleged violation, dates of violation and names and contact information of any contact persons or witnesses.
- Any supporting evidence, such as photographs, diagrams, letters, policies or other documents, which indicate the nature of the alleged violations and any attempts that have been made to resolve the issue.
- The date and location of filing of your written formal complaint, including the names of any City staff contacted.
- Any suggested proposals to resolve the complaint.

Within five (5) business days of receipt of the Grievance, a letter acknowledging receipt of the Grievance will be sent to the complaining party. The ADA Coordinator/Risk Manager's Office will oversee the ADA Committee's review/investigation of the aggrieved issues. The ADA Committee's review/investigation must normally be completed within thirty (30) days of receipt of the Grievance filing. The ADA Coordinator/Risk Manager or his/her designee will respond in writing, and, where appropriate in a format that is accessible to the aggrieved party, with the ADA Committee's final decision in the matter. The decision of the ADA Committee shall be the final internal appeal.

The City Clerks Office shall maintain a record of all ADA filed against the City for a period of five years or as otherwise specified in the City's Records Retention Schedule. Copies of complaints may be requested from the City Clerk in accordance with the California Public Records Act. Names and addresses of the complainants will be redacted to protect the individuals' privacy rights, if copies of complaints are produced.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible state or federal department or agency. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

There is a separate complaint procedure for ADA issues relating to employment issues. Please contact the Human Resources department for further information.

City of Ventura
Title II of the American with Disabilities Act
Section 504 of the Rehabilitation Act of 1973



FORMAL WRITTEN COMPLAINT

Type of Accommodation Request: Please refer to the ADA Formal Complaint Procedure listed under a separate document before submitting this form.

- | | |
|--|---|
| <input type="checkbox"/> Services, Activities and Programs | <input type="checkbox"/> Facilities |
| <input type="checkbox"/> Civil Rights EEOC, Employment | <input type="checkbox"/> Public Right of Way |
| <input type="checkbox"/> Building & Code Enforcement | <input type="checkbox"/> Information & Technology |

Please type or print legibly.

Reporting Individual:

Date of request:

Address:

City, State and Zip:

Cell Number:

Home Number:

Business Phone:

Email address :

When did the situation occur (date)?

Describe the situation or way in which the program is not accessible, providing the name(s) where possible of the individuals who were involved in the situation. Also provide any documentation or photographs supporting the incident:

What efforts have been made to resolve this complaint through the Request for Accommodation process or Informal Inquiry Request, please explain:

If yes, what were the results?

Has the issue been resolved to your satisfaction? Yes No.

If no, how do you suggest this issue be remedied?

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Please send the completed form to:

City Clerk's Office
City of Ventura
501 Poli Street, Room 204
Ventura, CA 93002-0099
(805) 658-4787

City of Ventura
Title II of the American with Disabilities Act
Section 504 of the Rehabilitation Act of 1973



REQUEST FOR ACCOMMODATION OR BARRIER REMOVAL

Type of Accommodation Request: Please refer to the ADA Service Request Procedure listed under a separate document before submitting this form.

- | | |
|--|---|
| <input type="checkbox"/> Services, Activities and Programs | <input type="checkbox"/> Facilities |
| <input type="checkbox"/> Public Right of Way | <input type="checkbox"/> Employment |
| <input type="checkbox"/> Building & Code Enforcement | <input type="checkbox"/> Information & Technology |

Please type or print legibly.

Reporting Individual:

Date of request:

Address:

City, State and Zip:

Cell Number:

Home Number:

Business Phone:

Email address :

Please provide a complete description of the question, concern, or problem that you would like the City to respond to:

Date accommodation is needed:

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Please send the completed form to:

City Clerk's Office
City of Ventura
501 Poli Street, Room 204
Ventura, CA 93002-0099
(805) 658-4787